

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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EVERETT JONES, 07-A-5636,

Plaintiff,

v.

ORDER  
10-CV-823A

SUPERINTENDENT OF ATTICA  
CORRECTIONAL FACILITY,  
SERGEANT COCHRAN and  
R.N. HAWLEY,

Defendants.

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The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On September 26, 2012, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that plaintiff's motions for summary judgment [27] [32] be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, plaintiff's motions for summary judgment are denied.

The case is referred back to Magistrate Judge Schroeder for further proceedings.

SO ORDERED.

*s/ Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE

DATED: October 11, 2012